

Below are 2 questions from Chairman Inhofe's staff regarding prior work at the Red and Bonita mine.

1. According to a March 2013 Pollution Report for the Red and Bonita mine (excerpt below), EPA did work to investigate and control the hydrologic pressure at Red and Bonita before beginning work. What similar actions were taken or planned at Gold King? There was a concern about hydraulic pressure at Red and Bonita.

"In 2010 EPA also initiated an investigation to determine the extent of blockage in the Red and Bonita adit. As part of that effort, a bore hole was drilled approximately 30 feet beyond the face of the hillside slope and adit opening, and it was determined to drill into the void of the adit/tunnel. At that location a monitoring well, used to monitor the impounded water within the adit, was installed, to determine if the adit blockage was under hydraulic pressure from a possible mine pool. This was necessary to determine before the removal of the collapsed portal in 2011. It was necessary to remove the blockage to allow future entry to assess the hydrogeologic and geotechnical conditions in the adit. In addition, a future blowout of the blockage was a potential risk if the debris had not been removed. During removal of the collapsed rock debris at the portal a large volume of water was pumped (multiple times) from the adit in order to control both the pressure against the soil/rock mass and to prevent the turbid water from releasing. All disturbed water pumped during portal excavation and later during mine entry activities received a flocculent and/or was filtered prior to release into Cement Creek. A new mine portal was installed in October 2011."

2. Re: the attached article from High Country News, was a bore hole drilled at Gold King like the one described below at Red and Bonita? Or did EPA just proceed to remove the blockage at the portal?

"And they admit that before tinkering with the mine, they should have taken better steps to mitigate a possible disaster, such as drilling into the mine from the top to assess the situation without the danger of busting the dam."

Senator Boxer's (Senate Environment and Public Works Committee) staff is asking for the following information. This request is NOT urgent, however, they would like an estimate of how long it might take to provide a response. Please let me know if I should direct this inquiry to someone else.

1. Access agreement between EPA and the owner of the Gold King Mine (San Juan Corp./Todd Hennis); any other agreements with San Juan Corp. or the previous owner, Gold King Mines Corp., concerning the Gold King Mine
2. Confirm whether the work opening up Portal #7 at the Gold King Mine was part of the time-critical removal action at the Red & Bonita Mines, and was being done under the 9/24/14 TCRAM, whether there was a separate TCRAM for the Gold

King; or whether EPA considered the work as part of the ongoing investigation of the Upper Animas Mining District site.

3. Contract between EPA R8 and Environmental Restoration LLC (April 2013, ERRS Contract EP-S8-13-02)
4. Cooperative Agreement between EPA R8 and State of Colorado Division of Reclamation and Mine Safety under which DRMS was participating in the response action at the Gold King Mine
5. 1996 Consent Decree between Sunnyside Gold Corp. and State of Colorado Water Quality Division concerning the Sunnyside Mine
6. NPL listing package for the Upper Animas Mining District
7. Documents listed in CERCLIS database under "Actions" for the Upper Animas Mining District Site:
 1. Discovery 1/24/96
 2. AOC 5/6/96
 3. PA 3/26/98
 4. SI 7/22/99
 5. Expanded SI 7/22/99
 6. Lodged by DOJ 12/17/08
 7. AOC 5/11/11
 8. Non-NPL PRP Search 11/10/11
 9. 104(e) Info. Requests 1/16/13 (and responses to the 104(e) requests)
8. Cooperative Agreement/Participating Agreement between EPA R8 and Animas River Stakeholder Group.

Senator Feinstein

I can share the Fact Sheet and Action Memo with the Senator's office, but some of these technical questions are not addressed in the fact sheet. Can EOC please assist in responding to these? Thank you.

1. What is the location of the leading edge of the contamination?
2. How far is that from the Gold King mine, from the CO River and Metropolitan Water District intake pipes?
3. What is the toxicity level at the contamination site and what projections do you have for toxicity downstream? I.e., is it expected that the contaminant level will be at non-detect levels X miles downstream?
4. Do you have a summary of physically what happened at the mine site that triggered the release?
5. Do you have a brief summary of EPA's work on the site in the years preceding this incident?